

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**
Alexandria Division

In re:

Donna B. Bolton

Case No: 20-12202-KHK

Debtor.

(Chapter 13)

**ORDER FOR SALE PARTIES TO APPEAR AND
SHOW CAUSE THEY SHOULD NOT BE HELD IN CONTEMPT**

This case is before the Court pursuant to the Chapter 13 Trustee's Amended Motion to Dismiss (Docket No. 68). In his Motion, the Trustee asserts that the Debtor, KW Metro Center ("Seller's Agent"), Leonardo V. Avendano Uchuya ("Buyer"), Samson Properties ("Buyer's Agent") and Icon Title, LLC ("Settlement Agent") (collectively, the "Sale Parties") should be ordered to appear and show cause why they should not be sanctioned for violating this Court's Order that approved the sale of certain real property in the above-captioned case (Docket No. 63) (the "Sale Order"). In particular, the Sale Order provided in relevant part as follows:

ORDERED that the settlement agent, Icon Title, LLC (or any substitute thereof) shall convey to the Chapter 13 Trustee the sum of \$11,503.66 as a 100% payoff without the mortgage arrearage claim for dispersal and conclusion of this Chapter 13 case...

The Trustee asserts that while the contemplated sale took place, no funds were turned over to him as required by the Sale Order. Apparently, Icon Title, LLC disbursed the proceeds of the sale directly to the Debtor. It appearing to the Court that the Sale Parties violated the Sale Order, and it appearing necessary to do so, it is hereby,

ORDERED:

1. A hearing will be held on **February 10, 2022** at **2:30 PM**.
2. Each of the Sale Parties shall appear at the hearing and show cause why they should not be held in contempt for violating the Sale Order.
3. The hearing will be conducted via video conference using Zoom for Government.

4. Parties who wish to appear and participate in the hearing must e-mail a completed registration request form to EDVABK-ZOOM-Judge_Kindred@vaeb.uscourts.gov in accordance with Judge Kindred's procedures for appearing by Zoom for Government¹.

5. Any evidence the parties wish to present must be uploaded to the CM-ECF case docket at least two business days prior to the hearing.

6. The Clerk shall provide a copy of this order and notice of its entry to the parties listed below.

Date: Jan 20 2022

/s/ Klinette H Kindred

Klinette H. Kindred
United States Bankruptcy Judge

Entered On Docket: January 20, 2022

Mailed copies to:

Donna B. Bolton
3433 Joustlers Way
Woodbridge, VA 22192
Debtor

Leonardo V. Avendano Uchuya
2540 Kingswood Ct
Woodbridge, VA 22192
Buyer

Samson Properties
Attn: Geovana (Edith) Dawson
6363 Walker Ln, Suite 130
Alexandria, VA 22310
Buyer's Agent

KW Metro Center
Attn: Ann Shack
1701 Duke St, Suite 100
Alexandria, VA 22314
Seller's Agent

Electronic copies to:

Thomas P. Gorman
Chapter 13 Trustee

Suad Bektic
Debtor's Counsel

Office of the U.S. Trustee

¹ Available at <https://www.vaeb.uscourts.gov/temporary-emergency-provisions-regarding-zoomgov-remote-proceeding-access-information#KHK>.

Icon Title, LLC
Attn: Sean Daugherty
1960 Gallows Road, Suite 220
Vienna, VA 22182
Settlement Agent